

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

REX CARR,

Plaintiff,

v.

**STEPHEN TILLERY, STEVEN KATZ,
and DOUGLAS R. SPRONG,**

Defendants.

No. 07-cv-0314-DRH

ORDER

HERNDON, Chief Judge:

This matter comes before the Court for case management. On February 4, 2008, the Court allowed Carr leave to file a second amended complaint (Doc. 63). That same day, Carr filed his second amended complaint (Doc. 65). Therefore, the Court **DENIES as moot** Defendants' motion to dismiss and for sanctions pursuant to 28 U.S.C. § 1927 (Doc. 17).

IT IS SO ORDERED.

Signed this 5th day of February, 2008.

/s/ David Herndon

Chief Judge
United States District Court